



AGENDA
SPECIAL CITY COUNCIL MEETING
Tuesday, January 24, 2017 at 5:00 p.m.
City Hall – Large Conference Room
425 N. Richardson
Roswell, NM 88201

ROLL CALL

APPROVAL OF THE AGENDA

1. Consider approval of the Special City Council meeting of January 24, 2017.
(Sanchez)

REGULAR ITEMS (ACTION ITEMS)

2. Resolution 17-04 – Smart Water Meter Bond Sale – Discuss and consider approval of Resolution 17-04 the Smart Water Meter Bond sale. (Grant/Stark-Rankins/Garcia)
3. Discuss and consider final direction on the concept for the water facility at the new recreation center. (Denny/Stark-Rankins)
4. Discuss and consider Bottomless Lakes Pilot Program options for route and/or shuttle. (Foster)
5. Discuss and consider Dean Baldwin Improvement Project Funding. (Grant/Stark-Rankins/Garcia)
6. Closed Session – Consider a closed session pursuant to NMSA 1978, § 10-15-1H (2), to discuss limited personnel matters related to separation of a former employee. (Sanchez)

NON-ACTION ITEM(S)

7. Proposed Ordinance 17-05 - LEDA Funding Proposed (PPA) Project Participation Agreement – Status update. (Holloman)

ADJOURN

Notice of this meeting has been given to the public in compliance with Sections 10-15-1 through 10-15-4 NMSA 1978 and Resolution 16-69.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact Human Resources at 575-624-6700 at least one week prior to the meeting or as soon as possible. Public documents including the agenda and minutes can be provided in various accessible formats. Please contact the City Clerk at 575-624-6700 if a summary or other type of accessible format is needed.

Printed and posted: Friday, January 13, 2017

SPECIAL CITY COUNCIL MEETING
Tuesday, January 24, 2017 at 5:00 p.m.
City Hall – Large Conference Room
425 N. Richardson - Roswell, NM 88201

ACTION REQUESTED:	Consider approval of the Special City Council meeting of January 24, 2017.
BACKGROUND:	Consider approval the Special City Council meeting of January 24, 2017.
FINANCIAL CONSIDERATION:	Not applicable.
LEGAL REVIEW:	Not applicable.
BOARD AND COMMITTEE ACTION:	Not applicable.
STAFF RECOMMENDATION:	Consider approval of the Special City Council meeting of January 24, 2017.

SPECIAL CITY COUNCIL MEETING
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ACTION REQUESTED:	Resolution 17-04 – Smart Water Meter Bond Sale – Discuss and consider approval of Resolution 17-04 the Smart Water Meter Bond sale.
BACKGROUND:	Staff has observed a substantial amount of water not being captured within the City water revenue due to antiquated metering systems. It was recommended to consider installing smart water meters to replace the current antiquated systems with new technologies which utilize highly accurate devices so the City may capture true water usage along with accurate revenues.
FINANCIAL CONSIDERATION:	The project budget is \$19,853,557 which will be supported through a 20 year Joint Utility Bond backed by guaranteed revenues and cost savings generated from the increased accuracy on the meters.
LEGAL REVIEW:	City Attorney has reviewed Resolution 17-04 which will be completed on the day of the meeting as the details are not final, and therefore not available, until the day of the sale as a matter of procedure.
BOARD AND COMMITTEE ACTION:	At the January 12, 2017 Council meeting, Council passed Ordinance 16-22 to authorize the issuance of the City's Joint Water and Sewer Improvement Revenue Bond, Series 2017.
STAFF RECOMMENDATION:	Approve Resolution 17-04 as completed in the January 24, 2017 Special Council meeting.

Blanks to be completed upon bond pricing issued the morning of January 24.

RESOLUTION 17-04

RELATING TO THE CITY'S JOINT WATER AND SEWER IMPROVEMENT REVENUE BONDS, SUBORDINATE SERIES 2017; ESTABLISHING THE EXACT AGGREGATE PRINCIPAL AMOUNT OF THE BONDS OF _____ AND NO/100 DOLLARS (\$_____), MATURITY DATES, RATES OF INTEREST, REDEMPTION FEATURES, BOND INSURANCE PROVISIONS AND PRICE WITH RESPECT TO SUCH BONDS IN ACCORDANCE WITH ORDINANCE NO. 16-22 ADOPTED ON JANUARY 12, 2017; RATIFYING CERTAIN ACTIONS HERETOFORE TAKEN; AND REPEALING ALL ACTION INCONSISTENT WITH THIS RESOLUTION.

All terms not defined herein shall have the meanings given them in Ordinance No. 16-22 (the "Bond Ordinance") adopted by the Council on January 12, 2017.

Whereas, on January 12, 2017, the Council adopted the Bond Ordinance authorizing the issuance of the City of Roswell Joint Water and Sewer Improvement Revenue Bonds, Subordinate Series 2017 (the "Bonds") and providing for the adoption of this resolution (the "Sale Resolution") setting forth certain details with respect to the Bonds; and

Whereas, the City has received an offer to purchase the Bonds from George K. Baum & Company and Robert W. Baird & Co., Incorporated as the underwriters of the Bonds (together, the "Underwriter") pursuant to the Bond Purchase Agreement; and

Whereas, there has been on deposit with the City Clerk and presented to the Council:

- (A) the proposed form of Bond Purchase Agreement;
- (B) the proposed form of Continuing Disclosure Undertaking;
- (C) the Preliminary Official Statement; and
- (D) the Municipal Bond Debt Service Reserve Insurance Commitment with an effective date of _____, 2017 (the "Reserve Insurance Commitment") issued to the City by _____ ("Reserve Insurer"); and

Whereas, the Council hereby determines that it is in the best interest of the City and its residents that a Municipal Bond Debt Service Reserve Insurance Policy be acquired from the Reserve Insurer, to reduce interest costs for the City; and

Whereas, the Council has determined that it is in the best interest of the City to proceed with the sale of the Bonds by adoption of this Sale Resolution.

Now therefore, be it resolved, that the Governing Body of the City of Roswell, New Mexico:

Section 1. Ratification. All action not inconsistent with the provisions of this Sale Resolution heretofore taken by the Council and the officials of the City directed toward

the sale and issuance of the Bonds be and the same hereby is ratified, approved and confirmed.

Section 2. Details of the Bonds. The Bonds shall be issued in the aggregate principal amount of \$_____, shall be dated their date of issuance and delivery to the Purchaser, shall bear interest from the date of delivery, at the rates described below, payable semiannually on June 1 and December 1 of each year until maturity, commencing _____ 1, 2017, and shall mature on June 1 in each of the designated amounts and years as set forth below:

<u>Year Maturing (June 1)</u>	<u>Amounts Maturing</u>	<u>Interest Rate (Per Annum)</u>
2018	\$	%
2019		
2020		
2021		
2022		
2023		
2024		
2025		
2026		
2027		
2028		
2029		
2030		
2031		
2032		
2033		
2034		
2035		
2036		
2037		

Section 3. Prior Redemption. The Bonds maturing on and after June 1, 20__ shall be subject to redemption prior to maturity at the City's option in one or more units of principal of \$5,000 on and after June 1, 20__, in whole or in part at any time, in such order of maturities as the City may determine (and by lot if less than all of the Bonds of such maturity is called, such selection by lot to be made by the Registrar in such manner considered appropriate and fair) at a redemption price equal to the principal amount of the Bonds or portions thereof to be redeemed plus accrued interest, if any, to the date fixed for redemption.

Section 4. Sale of the Bonds. The Bonds are hereby sold to the Purchaser in accordance with the Bond Purchase Agreement at a purchase price of

\$_____. The Bond Purchase Agreement is hereby approved and its execution and delivery by the Mayor is hereby authorized.

Section 5. Net Effective Interest Rate and Reserve Requirement. The net effective interest rate on the Bonds is _____%, which is less than 12% as required by the Bond Ordinance. The Reserve Requirement for the Bonds is hereby established as \$_____, which satisfies the requirements of the Bond Ordinance.

Section 6. Terms of Bonds within Parameters of Bond Ordinance. It is hereby found and determined that the above terms established for the Bonds are within the parameters established by the Bond Ordinance.

Section 7. Approval of Documents. The form, terms and provisions of the Bond Purchase Agreement, Continuing Disclosure Undertaking, Reserve Insurance Commitment and the Preliminary Official Statement relating to the Bonds in the form presented at this meeting, are in all respects approved, authorized and confirmed.

Section 8. Reserve Fund Insurance Provisions. The Reserve Insurer's provisions relating to the Reserve Fund Insurance Policy are set forth in this Section 8. The requirements and procedures set forth in this Section 8 shall control and supersede any conflicting or inconsistent provision in this Resolution. Any and all financial obligations of the City described in this Section 8 are limited to Pledged Revenues.

[To be provided by Reserve Insurer, if any.]

Section 9. Authorization of Officers. The officers of the City, including without limitation, the Mayor, Manager, Finance Director and Clerk be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Sale Resolution, including, without limiting the generality of the foregoing, the signature and distribution of materials relating to the Bonds and the printing of the Bonds, as may be required by the Purchaser or bond counsel. The use and distribution of the Preliminary Official Statement and Official Statement in connection with the sale of the Bonds is hereby ratified, authorized, approved and acknowledged.

Section 10. Repealer. All bylaws, ordinances and resolutions, or parts thereof, inconsistent herewith are hereby repealed to the extent of such inconsistency. This repealer shall not be construed as reviving any bylaw, order, or resolution, or part thereof, heretofore repealed.

Section 11. Severability. If any section, paragraph, clause or provision hereof shall be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Sale Resolution.

Section 12. Amendment. This Sale Resolution may be amended only on the same terms and conditions as set forth in the Bond Ordinance for amendment of the Bond Ordinance.

Section 13. Publication. A title and general summary of the subject matter contained in this Sale Resolution shall be published in substantially the following form after adoption of this Sale Resolution:

[Form of Summary of Sale Resolution for Publication]

City of Roswell, New Mexico

Notice of Adoption of Sale Resolution

NOTICE IS HEREBY GIVEN of the title and of a general summary of the subject matter contained in Resolution No. _____ (the "Resolution"), duly adopted and approved by the City Council of the City of Roswell on January 24, 2017. A complete copy of the Resolution is available for public inspection during the normal and regular business hours of the City Clerk in the office of the City Clerk, City Hall, 425 North Richardson, Roswell, New Mexico.

The title of the Resolution is:

RELATING TO THE CITY'S JOINT WATER AND SEWER IMPROVEMENT REVENUE BONDS, SUBORDINATE SERIES 2017; ESTABLISHING THE EXACT AGGREGATE PRINCIPAL AMOUNT OF THE BONDS OF _____ AND NO/100 DOLLARS (\$ _____), MATURITY DATES, RATES OF INTEREST, REDEMPTION FEATURES, BOND INSURANCE PROVISIONS AND PRICE WITH RESPECT TO SUCH BONDS IN ACCORDANCE WITH ORDINANCE NO. 16-22 ADOPTED ON JANUARY 12, 2017; RATIFYING CERTAIN ACTIONS HERETOFORE TAKEN; AND REPEALING ALL ACTION INCONSISTENT WITH THIS RESOLUTION.

The title sets forth a general summary of the subject matter contained in the Resolution.

[End of Form of Summary for Publication]

Section 14. Effective Date. This Sale Resolution shall take effect immediately upon its adoption and approval by the Council and be supplemental to the Bond Ordinance.

Passed, adopted, signed, and approved this 24th day of January 2017.

Attest:

Mayor

Sharon Coll, City Clerk

SPECIAL CITY COUNCIL MEETING
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ACTION REQUESTED:	Discuss and consider final direction on the concept for the water facility at the new recreation center.
BACKGROUND:	<p>At the December 8, 2016 Council meeting, option 3 was chosen for the concept of the water facility to be included at the new recreation center. This concept included an indoor and outdoor pool. However, Council wished to see additional information for the cost to enlarge the facility and accommodate competitive swimming.</p> <p>While no action was taken at the January 12, 2017 Council meeting, many of the questions and comments revolved around the same option including 8 lanes.</p>
FINANCIAL CONSIDERATION:	The total project budget for the recreation center and the water facility is \$18,000,000. An 8 lane water facility option could be accommodated within this budget. Operating expenses are expected to be impacted \$40,000 annually with this addition.
LEGAL REVIEW:	Not applicable.
BOARD AND COMMITTEE ACTION:	Option 3 was selected at the December 8, 2016 Council meeting with a request for more detail.
STAFF RECOMMENDATION:	Provide final direction on the general concept for the water facility at the new recreation center and instruct staff to proceed with design and engineering.

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ACTION REQUESTED:	Discuss and consider Bottomless Lakes Pilot Program options for route and/or shuttle.
BACKGROUND:	Councilor Foster has reached out to staff to inquire of the possibility to establish transportation to the nearby Bottomless Lakes State Park. Two options exist for pursuing this request: a transit route or a shuttle program.
FINANCIAL CONSIDERATION:	Depending on the direction of the Council, funding for personnel, equipment, and supplies may be needed. Fees may also be established.
LEGAL REVIEW:	Not applicable.
BOARD AND COMMITTEE ACTION:	Not applicable.
STAFF RECOMMENDATION:	Not applicable.

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ACTION REQUESTED:	Discuss and consider Dean Baldwin Improvement Project Funding.
BACKGROUND:	Many infrastructure improvements needs exist in Building 1083 at the Air Center, commonly referred to as the Dean Baldwin Building. In order to fund these needs, multiple funding options exist. Please see information included in the packet for the needs at the facility and at the Air Center.
FINANCIAL CONSIDERATION:	Please see information included in the packet for funding options. Each piece of funding will require different steps to be taken for implementation. Once direction is given on funding options, staff can proceed to meet the requirements for each funding source.
LEGAL REVIEW:	Not applicable.
BOARD AND COMMITTEE ACTION:	At the January 12, 2017 Council meeting, Council received a presentation on the needs of the facility as well as funding options.
STAFF RECOMMENDATION:	Not applicable.

Dean Baldwin Building Project Summary

Project Needs:

Fire Suppression	\$250,000
Electric Upgrade	\$250,000
Roof Replacement	\$4,000,000
Total Project:	\$4,500,000

Funding Options:**Option 1**

LEDA Grant	\$1,000,000
Capital Outlay	\$488,000
Airport Roof Maintenance	\$800,000
1% Xcel Franchise Fee	\$500,000
(Existing Funds)	
Unallocated Capital Outlay	\$500,000
Total:	\$3,288,000
Remaining Funding Availability:	(\$1,212,000)

Option 2

LEDA Grant	\$1,000,000
Capital Outlay	\$488,000
Airport Roof Maintenance	\$800,000
1% Xcel Franchise Fee	\$500,000
(Existing Funds)	
1% Xcel Franchise Fee	\$500,000
(Funds to be Collected in 2017)	
Total:	\$3,288,000
Remaining Funding Availability:	(\$1,212,000)
RIAC Bond	\$2,500,000*
Remaining Funding Availability:	\$1,288,000

*Authorize funding to be used to cover shortfall of the project and help support other needs at the Air Center.

Air Center In-Need Projects

Fire System Renovation of Building #115	\$250,000
Roof Replacement of Building #72	\$500,000
Roofing Repairs to Terminal Building	\$538,000

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ACTION REQUESTED:	Closed Session – Consider a closed session pursuant to NMSA 1978, § 10-15-1H (2), to discuss limited personnel matters related to separation of a former employee.
BACKGROUND:	Closed session pursuant to NMSA 1978, § 10-15-1H (2), to discuss limited personnel matters related to separation of a former employee.
FINANCIAL CONSIDERATION:	Not applicable.
LEGAL REVIEW:	Not applicable.
BOARD AND COMMITTEE ACTION:	Not applicable.
STAFF RECOMMENDATION:	Consider a closed session pursuant to NMSA 1978, § 10-15-1H (2), to discuss limited personnel matters related to separation of a former employee.

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ACTION REQUESTED: Discussion item only.

BACKGROUND: The State Economic Development Department has agreed to provide \$1,000,000 as a LEDA grant to secure improvements to the City property leased by Dean Baldwin Painting, LLP. The City is currently set to act as the fiscal agent for the project. In order to complete the agreement, the parties will need to execute an Intergovernmental Agreement (between the State and the City), a Project Participation Agreement (between the City and Dean Baldwin) and the City will need to pass an ordinance authorizing these two documents.

FINANCIAL CONSIDERATION: Should the project be successfully completed, \$1,000,000 would be provided by the State to secure improvements to City-owned structures.

LEGAL REVIEW: City Attorney and City Manager are actively working to finalize draft agreements.

BOARD AND COMMITTEE ACTION: Ordinance and agreement adoption is planned for the March 9, 2017 Council meeting.

STAFF RECOMMENDATION: Discuss the ongoing status of the agreements described above.